

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CEMENT MASONS UNION
LOCAL NO. 592, et al.,

Plaintiffs,

v.

MICHAEL LUKIS,

Defendant.

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CIVIL ACTION

No. 13-3002

ORDER

AND NOW, this 7th day of January, 2014, upon consideration of Defendant's "Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6), or in the Alternative, Motion for Summary Judgment Pursuant to Rule 56" (Doc. 4), and Plaintiffs' Response in Opposition (Doc. 5), it is hereby **ORDERED** that said Motion is **DENIED**.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE